



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on December 8, 2015

Date of Meeting: April 21, 2015

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:36 p.m., on Tuesday, April 21, 2015, all members having been notified of the time and place thereof.

1. ROLL CALL

The meeting was called to order by Mayor Rothschild and upon roll call, those present and absent were:

Present:

Regina Romero
Paul Cunningham
Karin Uhlich
Shirley C. Scott
Richard G. Fimbres
Steve Kozachik
Jonathan Rothschild

Council Member Ward 1
Council Member Ward 2
Council Member Ward 3
Council Member Ward 4
Council Member Ward 5
Vice Mayor, Council Member Ward 6
Mayor

Absent/Excused:

None

Staff Members Present:

Martha Durkin
Michael Rankin
Roger W. Randolph

City Manager
City Attorney
City Clerk

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Monsignor Thomas Cahalane, Mother of Sorrows Parrish, after which the Pledge of Allegiance was led by Council Member Scott.

Presentations:

- a. Mayor Rothschild presented the Dorothy Finley Outstanding Teen Citizen's Council Award for Outstanding Teen Citizen.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager's communication number 127, dated April 21, 2015, was received into and made part of the record. He also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

Current event reports were given by Council Members Romero and Cunningham, and Vice Mayor Fimbres. A recording of this item is available from the City Clerk's Office for ten years from the date of this meeting.

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager's communication number 128 dated April 21, 2015, was received into and made part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

Current event reports were given by Martha Durkin, City Manager and Michael Rankin, City Attorney. A recording of this item is available from the City Clerk's Office for ten years from the date of this meeting.

5. LIQUOR LICENSE APPLICATIONS

Mayor Rothschild announced City Manager's communication number 126, dated April 21, 2015, was received into and made part of the record. He asked the City Clerk to read the Liquor License Agenda.

- b. Liquor License Application(s)

New License(s)

1. Sentinel Peak Brewing Company, Ward 6
4746 E. Grant Rd.
Applicant: Jeremy David Hilderbrand
Series 12, City 15-15
Action must be taken by: May 11, 2015

Staff has indicated the applicant is in compliance with city requirements.

NOTE: State law provides that for a new license application "In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

Person Transfer(s)

Note: There are no application(s) for person transfers scheduled for this meeting.

c. Special Event(s)

1. Southern Arizona Roadrunners, Ward 6
220 S. 5th Ave.
Applicant: Randy A. Accetta
City T35-15
Date of Event: May 30, 2015
(Meet Me Downtown-Running Race & Charity Walk)

Staff has indicated the applicant is in compliance with city requirements.

2. Aslan Foundation, Ward 2
6503 E. Tanque Verde Rd.
Applicant: Steven Russo
City T41-15
Date of Event: May 2, 2015
(Fundraiser)

Staff has indicated the applicant is in compliance with city requirements.

3. Southern Arizona AIDS Foundation, Ward 3
1102 W. Grant Rd.
Applicant: Monique Vallery
City T42-15
Date of Event: May 9, 2015
(28th Annual Jell-O Wrestling)

Staff has indicated the applicant is in compliance with city requirements.

4. BASIS School, Ward 3
3800 E. River Rd.
Applicant: Rachelle V. Prosowski
City T43-15
Date of Event: May 1, 2015
(Fundraiser)

Staff has indicated the applicant is in compliance with city requirements.

5. Xerocraft Inc., Ward 1
101 W. 6th St.
Applicant: Dale M. Tersey
City T44-15
Date of Event: May 2, 2015
(Maker Fair-Radio Station Fundraiser)

Staff has indicated the applicant is in compliance with city requirements.

6. COAH Tucson, Ward 6
191 E. Toole Ave.
Applicant: Rebekah Ellen Collins
City T45-15
Date of Event: May 13, 2015
(Concert)

Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change/Acquisition of Control

1. Taco Giro Mexican Grill, Ward 1
610 N. Grande Ave.
Applicant: Alberto Ramos Mora
Series 12, City AC6-15
Action must be taken by: April 23, 2015

Staff has indicated the applicant is in compliance with city requirements.

2. Sentinel Peak Brewing Company, Ward 6
4746 E. Grant Rd.
Applicant: Jeremy David Hilderbrand
Series 3, City AC7-15
Action must be taken by: May 2, 2015

Staff has indicated the applicant is in compliance with city requirements.

NOTE: The local governing body of the city town or county may protest the acquisition of control within sixty days based on the capability reliability and qualification of the person acquiring control. (A.R.S. Section 4-203.F)

It was moved by Council Member Kozachik, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license application items 5b1, 5c1 through 5c6, and 5d1 through 5d2 to the Arizona State Liquor Board with a recommendation for approval.

6. CALL TO THE AUDIENCE

(NOTE: This item was taken out of order and discussed after Item No. 9.)

9. PUBLIC HEARING: ZONING (C9-14-10) – MCDONALD’S – 22ND STREET, R-1 AND O-3 TO P, CITY MANAGER'S REPORT

(NOTE: This item was taken out of order.)

Mayor Rothschild announced City Manager’s communication number 132, dated April 21, 2015, was received into and part part of the record.

Due to activities on the case earlier in the day, Mayor Rothschild called on the property owner to come forth and state his name for the record.

David McEvoy, representing the property owners Kettenbach, LLC., stated he had sent a letter to the Mayor and Council and shortly after that, the co-applicant of the adjacent property sent an email where he concurred with his letter. He said he received a letter of termination from McDonald’s terminating their ground lease. He said he did not know the reasoning behind McDonald’s decision; therefore he had no choice but to withdraw the application and asked the Mayor and Council not to consider it.

Mayor Rothschild asked Mr. McEvoy to submit a letter of termination to staff and as a result of his declaration the matter was withdrawn.

6. CALL TO THE AUDIENCE

Mayor Rothschild announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for items scheduled for a public hearing. Speakers were limited to three-minute presentations.

Mayor Rothschild also announced that pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during “call to the audience.”

Comments were made by:

Robert Reus
Suzanne Schafer
Yolanda Herrera

Mary DeCamp
Gray Knox
Christopher Guts

Anthony Potter
Sally Kane

A recording of this item is available from the City Clerk's Office for ten years from the date of this meeting.

7. CONSENT AGENDA – ITEMS A THROUGH L

Mayor Rothschild announced the reports and recommendations from the City Manager on the Consent Agenda were received into and made part of the record. He asked the City Clerk to read the Consent Agenda.

a. APPROVAL OF MINUTES

1. Report from City Manager APR21-15-129 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of September 9, 2014
3. Mayor and Council Study Session Legal Action Report and Summary Minutes of September 9, 2014

b. FINAL PLAT: (S14-001) 4056 E. GLENN, LOTS 1 THROUGH 5

1. Report from City Manager APR21-15-138 WARD 6
2. Staff recommends that the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

c. FINAL PLAT: (S14-054) BLACKHAWK RANCH, BLOCKS 9 THROUGH 12

1. Report from City Manager APR21-15-133 WARD 5
2. Staff recommends that the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

d. FINAL PLAT: (S14-056) THE CORNER OF FIFTH AND TREAT, LOTS 1 THROUGH 3

1. Report from City Manager APR21-15-131 WARD 6
2. Staff recommends that the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are

subject to the availability of water/sewer capacity at the time of actual application.

- e. INTERGOVERNMENTAL AGREEMENT: WITH THE PASCUA YAQUI TRIBE FOR PROVISION OF FIXED ROUTE TRANSIT SERVICE (SUN TRAN) FOR DESIGNATED AREAS OF PIMA COUNTY
 - 1. Report from City Manager APR21-15-139 OUTSIDE CITY
 - 2. Resolution No. 22387 relating to Transportation; approving and authorizing execution of an Intergovernmental Agreement (IGA) between the City of Tucson (City) and the Pascua Yaqui Tribe for provision of fixed route transit service (Sun Tran) for designated areas of Pima County; and declaring an emergency.
- f. GRANT AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR FEDERAL TRANSIT ADMINISTRATION GRANT AZ-57-X015
 - 1. Report from City Manager APR21-15-136 OUTSIDE CITY
 - 2. Resolution No. 22385 relating to Transportation; authorizing and approving Amendment No. 1 to the Grant Agreement between the City of Tucson ("City") and the Regional Transportation Authority of Pima County ("RTA") for Federal Transit Administration ("FTA") Grant No. AZ-57-X015 ("Grant Agreement") allowing the RTA to spend FTA funding for provision of expanded special needs paratransit services; extending the term thereof; and declaring an emergency.
- g. GRANT AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR FEDERAL TRANSIT ADMINISTRATION GRANT AZ-37-X023
 - 1. Report from City Manager APR21-15-135 OUTSIDE CITY
 - 2. Resolution No. 22386 relating to Transportation; authorizing and approving Amendment No. 1 to the Grant Agreement between the City of Tucson ("City") and the Regional Transportation Authority of Pima County ("RTA") for Federal Transit Administration ("FTA") Grant No. AZ-37-X023 ("Grant Agreement") allowing the RTA to spend FTA funding to operate Sun Shuttle Routes; extending the term thereof; and declaring an emergency.

- h. GRANT AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR FEDERAL TRANSIT ADMINISTRATION GRANTS AZ-37-X009, AZ-37-X012, AZ-37-X016, AND AZ-37-X020
 - 1. Report from City Manager APR21-15-142 OUTSIDE CITY
 - 2. Resolution No. 22384 relating to Transportation; authorizing and approving Amendment No. 1 to the Grant Agreement between the City of Tucson ("City") and the Regional Transportation Authority of Pima County ("RTA") for Federal Transit Administration ("FTA") Grants Nos. AZ-37-X009, AZ-37-X012, AZ-37-X016, and AZ-37-X020 ("Grant Agreement") allowing the RTA to spend FTA funding to operate the Marana Sun Shuttle Route #413; extending the term thereof; and declaring an emergency.
- i. GRANT AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR FEDERAL TRANSIT ADMINISTRATION GRANT AZ-57-X006
 - 1. Report from City Manager APR21-15-134 OUTSIDE CITY
 - 2. Resolution No. 22383 relating to Transportation; authorizing and approving Amendment No. 1 to the Grant Agreement between the City of Tucson ("City") and the Regional Transportation Authority of Pima County ("RTA") for Federal Transit Administration ("FTA") Grant No. AZ-57-X006 ("Grant Agreement") allowing the RTA to spend FTA funding for provision of expanded paratransit services; extending the term thereof; and declaring an emergency.
- j. ADMISSION AS GENERAL PARTNER FOR LOW INCOME HOUSING TAX CREDIT PARTNERSHIPS (CONTINUED FROM THE MEETING ON MARCH 17, 2015)
 - 1. Report from City Manager APR21-15-130 CITY WIDE

(This item was continued at the request of Staff.)
- k. FINANCE: SALE OF GENERAL OBLIGATION BONDS, SERIES 2012-C (2015) (CONTINUED FROM THE MEETING OF APRIL 7, 2015)
 - 1. Report from City Manager APR21-15-143 CITY WIDE

2. Ordinance No. 11252 an Ordinance relating to Finance; authorizing the issuance and sale of City of Tucson, Arizona, General Obligation Bonds, Series 2012-C (2015), as tax-exempt bonds, in a principal amount not to exceed \$20,000,000 (the "Series 2015 Bonds"); providing for sale thereof and the levy and collection of *ad valorem* taxes for the payment of the principal of and interest on the Series 2015 Bonds; providing for the application of a portion of the proceeds therefrom for the acquisition and construction of certain municipal improvements and for the payment of principal and interest thereon; providing certain terms, covenants and conditions relating to the Series 2015 Bonds; authorizing the execution and delivery of a Bond Purchase Agreement and the continuing disclosure undertaking with regard to the Series 2015 Bonds; appointing a Bond Registrar, Transfer Agent and Paying Agent for the Series 2015 Bonds; authorizing the preparation and delivery of an official statement with respect to the Series 2015 Bonds; and declaring an emergency.
1. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR CONSTRUCTION FUNDING FOR THE CAMPBELL AVENUE ENHANCEMENTS PROJECT
 1. Report from City Manager APR21-15-144 WARD 3
 2. Resolution No. 22388 relating to Transportation; authorizing and approving the Intergovernmental Agreement (IGA) between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson (City) for construction of the Campbell Avenue Enhancements Project; and declaring an emergency.

It was moved by Council Member Uhlich, duly seconded, and passed by a roll call vote of 7 to 0, that Consent Agenda Items a – l, with the exception on Item j, which was continued, be passed and adopted and the proper action taken.

8. PUBLIC HEARING: CITY OF TUCSON 2012 GENERAL OBLIGATION BOND ROAD RECOVERY PROGRAM ADDITIONAL PROJECT LOCATIONS

Mayor Rothschild announced City Manager's communication number 145, dated April 21, 2015, was received into and part part of the record. He also announced this was the time and place legally advertised for a public hearing on the City of Tucson 2012 General Obligation Bond Road Recovery Program for additional project locations. He said staff wanted to make a brief presentation before beginning the public hearing.

Daryl Cole, Tucson Department of Transportation (TDOT) Director, introduced three members of the 2012 Bond Oversight Commission; Bruce Burke, Dale Calvert and Steve Pageau. He said they had worked very hard and diligently over the course of two years on this project. He stated they had recommended \$37 million worth of arterial

streets and \$3 million for residential and local streets that they wanted the Mayor and Council to approve.

Mayor Rothschild announced the public hearing was scheduled to last for no more than one hour and speakers were limited to five minute presentations. He asked if there was anyone wishing to speak on the item.

There was no one.

It was moved by Council Member Uhlich, duly seconded, and carried by a voice vote of 7 to 0, to close the public hearing.

Mayor Rothschild asked the City Clerk to read Resolution 22389 by number and title only.

Resolution No. 22389 relating to Transportation: City of Tucson 2012 General Obligation Bond Road Recovery Program ("Program"); allocation of excess capacity in bond funding approved by the electorate in accordance with the City's Truth in Bonding Policy; and approving improvements to additional roadway segments recommended by the Bond Oversight Commission ("BOC").

It was moved by Council Member Scott, duly seconded, to passed and adopt Resolution 22389.

Council Member Uhlich stated that the Mayor and Council did not specifically set the ballot language to read 85% arterial streets and 15% in neighborhood streets. However, they were given as a bench mark. She said if the plan presented was adopted, what would be the share of funding spent on arterials streets verses neighborhood streets in total.

Mr. Cole stated the target was \$18 million for local and \$82 million for arterial streets which was an 82% to an 18% split which followed Proposition 409 as approved by the voters.

Council Member Kozachik stated that in the materials the project was described as TDOT Road recovery program. He said the City was two years into the project and had sold \$40 million in bonds. He stated he wanted an explanation on how the City could be \$40 million ahead.

Mr. Cole stated that had over \$100 million in capacity over the five years of the bond election itself. He said TDOT had calculated all the roadways on the original map approved by the voters in November 2012, which was \$85 million dollars. He said they also calculated the arterial streets system and determined that approximately \$45 million would finish the list they had. He stated the list for fiscal year 2017-18 of the fourth and fifth year of the bonds had been moved those forward to the present fiscal year and fiscal year 2016.

Mr. Cole indicated that the capacity and the map was about \$45 million and he believed they had \$40 million in arterials. He stated \$15 million in locals or residential, was set aside in its origination to be seen by the BOC. He said part of the BOC's recommendation out of the \$40 million capacity was to reduce the amount to \$37 million and add \$3 million to local and residential capacity.

Council Member Kozachik confirmed that TDOT was looking at the entire package. He said seeing what they had done so far and speculating what would be done by the end of the package, they would have \$40 million in excess capacity, thus the reason they were the projects forward. He asked what the time frames for the projects listed were in fiscal year 2016.

Mr. Cole responded that their goal was to finish in fiscal year 2016. He said currently, within the next two months there would be several projects going on, about \$12 million over the next ninety days. He said in the next fiscal year, there was about \$20 million worth of projects to be completed, still within the five year obligation.

Council Member Cunningham asked if the road work at Houghton Road and Broadway Boulevard was included in Proposition 409 or was it part of the Regional Transportation Authority (RTA) projects.

Mr. Cole confirmed it was RTA.

Mayor Rothschild thanked Mr. Cole for the work he and his staff has done on Proposition 409, which had come under budget thus far. He said he did not know of any other project that had done so in the past.

Council Member Fimbres asked what the contributing factors for the savings were, was it because constructions cost were down or the fuel cost.

Mr. Cole stated it was a number of things; everyone was paying different prices at the fuel pumps, asphalt portions, competitive bids, and the estimates made by staff when they first started the project. He said the environment had been good and the projects had moved fairly fast. He added that the BOC had twenty plus meetings and had been diligent in their work, pushing hard and asking all the tough questions. He said he had to give them a lot of credit for pointing the City in the right direction.

Council Member Kozachik commented that he heard Pima County had passed a bond package which he assumed was a road piece. He said the City had a piece of that which was about forty to forty-five percent. He asked if the BOC would be going through and continue the triage of City properties to identify specific roadways that would be part of the package and rolling these projects into that.

Mr. Cole stated they had not had those conversations with Pima County yet. He said from the literature he had read, the County was planning on doing that early on.

Mayor Rothschild asked stated he thought Council Member Kozachik was asking what the City's procedure would be for identifying specific pieces of the project.

Mr. Cole said the key point was what Pima County was going to ask the City to do and what the expectations were. He said the City had its own procedures, and an arterial pavement management system they would go through and had not discussed that with the BOC.

Mayor Rothschild suggested that the BOC continue their work. He said what he had seen from the County Administrator, Chuck Huckleberry, was that he was anticipating getting all those projects in line at least thirty days before the election. He said TDOT and the BOC, because of the work they had done, knew the City better than anyone else and what roads were next in line.

Mayor Rothschild reminded the Council there was a motion and second on the table. He asked if there was any further discussion.

There was none.

Resolution 22389 was declared passed and adopted by a roll call vote of 7 to 0.

9. PUBLIC HEARING: ZONING (C9-14-10) – MCDONALD'S – 22ND STREET, R-1 AND O-3 TO P, CITY MANAGER'S REPORT

(NOTE: This item was taken out of order and discussed after Item No. 5.)

10. PUBLIC HEARING: (C8-15-01) AMENDING (CHAPTER 23B) THE UNIFIED DEVELOPMENT CODE RELATING TO PART 4: CORRECTIONS, RESTRUCTURE, AND CLARIFICATIONS

Mayor Rothschild announced City Manager's communication number 140, dated April 21, 2015, was received into and part part of the record. He also announced this was the time and place legally advertised for a public hearing on the proposed text amendments to the Unified Development Code relating to Corrections, Restructure and Clarifications. He said staff wanted to make a brief presentation before the public hearing.

Ernie Duarte, Planning and Development Services Department Director, said that since October 2012, when the *Unified Development Code (UDC)* was adopted, staff had continued developing the *Code* and made minor adjustments. He stated the *Code* amendment involved changes from when the Mayor and Council made the transition between the *Land Use Code (LUC)* and the *Unified Development Code (UDC)*. He said this was the fourth bundle of corrections that was brought forth for consideration since adoption of the *UDC*.

Mr. Duarte continued with that none of the proposed amendments resulted in significant changes on how the UDC was being implemented or enforced. He said some

examples of the changes were allowing private or government museums, correcting cross-reference problems, correcting inadvertent prohibition of allowing small amounts of propane materials at residences for residential uses as allowed in the *LUC*.

Mr. Duarte stated these items were identified by staff and customers who utilized the *UDC* or obtained zoning information for specific projects or parcels. He said the proposal had been before for a Planning Commission (PC) Study Session and Public Hearing and the PC had endorsed the recommended changes. He said the City had not been received any adverse comments from the public on this proposed amendment.

Mayor Rothschild announced the public hearing was scheduled to last for no more than one hour and speakers were limited to five minute presentations. He asked if there was anyone wishing to speak on the item.

There was no one.

It was moved by Council Member Scott, duly seconded, and carried by a voice vote of 7 to 0, to close the public hearing.

Mayor Rothschild asked the City Clerk to read Ordinance 11257 by number and title only.

Ordinance No. 11257 relating to Planning and Zoning; amending the Tucson Code Chapter 23B, Unified Development Code, by amending the Title Page and Sections 4.8.3, 4.8.4, 4.8.5, 4.8.6, 4.8.7, 4.8.8, 4.8.9, and 11.3.3; and setting an effective date.

It was moved by Council Member Fimbres, duly seconded and passed by a roll call vote of 7 to 0, to pass and adopt Ordinance 11257.

11. ZONING: (C9-14-14) RIO VERDE VILLAGE PLANNED AREA DEVELOPMENT - MARKET DISTRICT, SR TO PAD, CITY MANAGER'S REPORT, ORDINANCE ADOPTION

Mayor Rothschild announced City Manager's communication number 137, dated April 21, 2015, was received into and part part of the record. He said this was a request to rezone 4.57 acres located southeast of Craycroft and River Road. He said the Zoning Examiner and staff recommend the authorization of the PAD zoning subject to certain conditions and adoption of the ordinance.

Mayor Rothschild asked the City Clerk to read Ordinance 11258 by number and title only.

Ordinance No. 11258 relating to Zoning: amending zoning district boundaries located at the southeast corner of north Craycroft Road and east River Road in case C9-14-14 Rio Verde Village Planned Area Development (PAD-22), SR to PAD Zone; and setting an effective date.

Roger Randolph, City Clerk, announced that this item required a three quarters majority vote to pass.

It was moved by Council Member Cunningham, duly seconded, to pass and adopt Ordinance 11258.

Council Member Kozachik stated he had voted against the original PAD as a result of the traffic impact on River Road. He said the bond money for this project was pulled and reallocated. He commented that he understood the City was just adding one small parcel to the existing PAD but there were three options listed in the materials with different levels of intensity. He asked staff if they knew when a decision would be made or which option they were leaning towards.

Gordon Thomas Ally, III, the Applicant, stated there were three conceptual plans that had been presented to the Mayor and Council. He said they were in a position as it related to the PAD that gave them options and flexibility. He stated they had not created or made decisions as to what use was going to be considered.

Keri Silvyn, Lazarus, Silvyn and Bangs, P.C., said those were conceptual plans that were part of the rezoning with three of the potential uses. She stated the uses were all in the actual PAD so they could be different uses. She said the idea was that they wanted to run three different traffic scenarios for those uses which varied in range and they tried to provide some of the more intense uses. She stated they had to update the traffic impact analysis acknowledged in the PAD traffic section once the development packages were in. She said they were not sure yet which package and that it may not be one of those listed, but still needed to comply with the PAD, traffic analysis, and the recommendation for any traffic improvements based on what that analysis was.

Council Member Kozachik said he remembered that they also described how ingress/egress traffic would flow and diverting some of the new intensity away from River Road over to Craycroft Road, regardless which option was selected.

Ms. Silvyn stated Council Member Kozachik was correct. The City could see the start of some of that development in the area because they had to bring forward the impact analysis.

Council Member Kozachik stated part of TDOT's comments was calling for a double left going north and south on Craycroft Road. He said in TDOT's recommendation, it stated that it should be clear as to who was responsible for improvements in the right of way. He asked if that was something the project was picking up.

Mr. Ally stated that they were being proactive as far as the median heading north bound on Craycroft, just south of River Road. He said they were going to extend the median and provide a left turn lane into the next access into the Rio Verde Village shopping center. He stated they were also was going to provide a right turn lane heading

north bound on Craycroft Road to mitigate some of the Council's concerns, and provide the northern access point in the shopping center closest to the Quick Trip be turned into a right in and right out.

Council Member Kozachik asked if the dual left on all approaches was the responsibility of the project and not relied on County bond monies.

Mr. Ally stated their traffic study analyst was present and could explain that particular improvement. He said the north bound two-lanes were north bound left lanes which had not yet been identified as a required improvement at this point.

Council Member Kozachik suggested that staff speak to the developers because it was listed in the materials that at build out of the PAD at the Craycroft and River Road intersection be reconfigured to dual left lanes on all approaches and should be clear as to who was responsible for the improvements in the right-of-way.

Ernie Duarte, Planning and Development Services Department Director, stated that those improvements were triggered by the development of the site and would be the responsibility of the developer.

Ms. Silvyn added the right-of-way was in place, it was the restriping to create the dual left turn, not an additional right-of-way and/or improvements. She said the intersection was at full build-out. She said that was the reason the full impact analysis was being done at each phase. She stated if it was the traffic that was justifying it, they would be doing the restriping.

Council Member Kozachik said his concern was that Mayor and Council does not wind up with a situation where they were relying on bond monies that got swept on the east/west configuration and have the same situation develop.

Council Member Cunningham stated he was under the impression that there were three or four different scenarios in which egress and ingress were reworked and right and left turns were put in to mitigate any traffic concerns.

Ms. Silvyn affirmed that they were going to be working on those accesses. She said they now had the ability to work on the cross accesses for the area and would be noted on the individual development plans when ready.

Council Member Cunningham stated that by allowing these acres in the middle, it allowed the City to be able to do the cross accesses that they were not able to do before which was why the traffic mitigation was an easier piece.

Ms. Silva stated that was correct and was the piece of the recommendation of the Zoning Examiner back in 2012.

Councilmember Cunningham called for the question.

Ordinance 11258 was passed and adopted by a roll call vote of 7 to 0.

12. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Rothschild announced City Manager's communication number 141, dated April 21, 2015, was received into and made part of the record. He asked for a motion to approve the appointments in the report.

It was moved by Council Member Romero, duly seconded, and carried by a voice vote of 7 to 0, to approve the appointment(s) of Lee Misevch to the Downtown Links Citizen Advisory Committee (DLCAC) and Josie Nunez to the Commission of Disability Issues (CODI), and the reappointment(s) of Chuck Freitas and Catlow Shipek to the Citizens Water Advisory Committee (CWAC).

Mayor Rothschild asked if there were any personal appointments to be made.

There were none.

13. ADJOURNMENT: 6:48 p.m.

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, May 5, 2015, at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 21st day of April, 2015, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR: agj:yl